

REMARKS

Claims 1-25 and 52-67 are pending in this application. For purposes of expedition, claims 26-51 have been canceled without prejudice or disclaimer. Claims 1, 2, 45, 50, 52 and 67 have been amended in several particulars for purposes of clarity and brevity that are unrelated to patentability and prior art rejections in accordance with current Office policy, to further and alternatively define Applicants' disclosed invention and to assist the Examiner to expedite compact prosecution of the instant application.

Claims 1 and 52 have been rejected under 35 U.S.C. §102(e) as being anticipated by Adams, U.S. Patent Application Publication No. 2002/0124100 for reasons stated on pages 2-4 of the Office Action (Paper No. 20051107). However, Applicants submit that Adams '100 does not disclose or suggest any content reproducing apparatus in which a presentation engine is utilized control a data storage unit in accordance with a command program included in an input markup program. Rather, Adams '100 only discloses techniques used to enhance the speed of delivery of web content from a website 10, as shown in FIG. 1, to users at remote terminals 50 using a browser. Nevertheless, in the interest of expedition, base claim 1 has been amended to incorporate limitations of dependent claim 2 in order to render the rejection moot. Similarly, base claim 52 has been amended to clearly define an information storage medium for use in an interactive digital content reproducing apparatus, comprising: (1) audio/video (AV) data; and (2) a markup document which reproduces the AV data in an interactive manner, the markup document comprising a command program which, when the information storage medium is inserted into the content reproducing apparatus, is performed by the content reproducing apparatus to control a data storage unit included in the content reproducing apparatus. In contrast to Applicants' base claim 52, Adams '100 simply discloses techniques to enhance the speed of delivery of web content from a website 10, as shown in FIG. 1, to users at remote terminals 50 using a browser. There is no disclosure of any digital content reproducing apparatus (i.e., DVD player) or its information storage medium (i.e., DVD) which stores AV data and a markup document including a command program which enables the digital content reproducing apparatus to control an internal data storage unit based on a command program, as defined in Applicants' base claim 52.

In view of these reasons and the amendments to claims 1 and 52, Applicants respectfully

Claims 2-51 and 53-67 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Adams as applied to claim 1 above, and further in view of Wagner, U.S. Patent No. 6,085,224. Notwithstanding the incorrect rejection of Applicants' base claims 1 and 52 for reasons discussed above, Applicants submit that features of claims 2-51 and 53-67 are not disclosed or suggested by Adams '100 and Wagner '224, whether taken individually or in combination with any other references of record. Therefore, Applicants traverse the rejection of claims 2-51 and 53-67, and respectfully request the Examiner to reconsider and withdraw this rejection for the following reasons.

First of all, in order to establish a *prima facie* case of obviousness under 35 U.S.C. §103, the Examiner must show that the prior art reference (or references when combined) must teach or suggest all the claim limitations, and that there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, provided with a reasonable expectation of success, in order to arrive at the Applicants' claimed invention. The requisite motivation must stem from some teaching or suggestion to make the claimed combination must be found in the prior art, and **not** based on Applicants' disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 2143. In other words, all the claim limitations must be disclosed or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, "obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination." ACS Hospital System, Inc v. Montefiore Hospital, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984). The Examiner must point to something in the prior art that suggests in some way a modification of a particular reference or a combination of references in order to arrive at Applicants' claimed invention. Absent such a showing, the Examiner has improperly used Applicants' disclosure as an instruction book on how to reconstruct to the prior art to arrive at Applicants' claimed invention. Furthermore, any deficiencies in the cited references cannot be remedied with conclusions about what is "basic knowledge" or "common knowledge". See In re Lee, 61 USPQ 2d 1430 (Fed. Cir. 2002).

In the present situation, Adams '100, as a primary reference, only discloses techniques to enhance the speed of delivery of web content from a website 10, as shown in FIG. 1, to users at remote terminals 50 using a browser. Adams '100 does not disclose or suggest any content reproducing apparatus (such as DVD player) in which a presentation engine is utilized control a

data storage unit in accordance with a command program included in an input markup program, nor does Adams '100 disclose any information storage medium for use in such an interactive digital content reproducing apparatus, comprising: (1) audio/video (AV) data; and (2) a markup document which reproduces the AV data in an interactive manner, the markup document comprising a command program which, when the information storage medium is inserted into the content reproducing apparatus, is performed by the content reproducing apparatus to control a data storage unit included in the content reproducing apparatus, as defined in each of Applicants' base claims 1 and 52.

As a secondary reference, Wagner '224 does not remedy the noted deficiencies of Adams '100 in order to arrive at Applicants' base claims 1 and 52 or Applicants' claims 2-51 and 53-67. This is because Wagner '224 only discloses the use of a software program, as shown in FIG. 1, which can be incorporated into a browser at a user terminal to detect programs or cookie commands embedded within a data-stream received from another computer, and to notify the user of the interpretative language program or cookie command so that the user can be made aware that a remote server is sending interpretative programs or cookie commands. Such a notification feature is incorporated without modifying the browser program. Again, like Adams '100, Wagner '224 does not disclose any interactive digital content reproducing apparatus (e.g., DVD player) in which a presentation engine is utilized to control a data storage unit in accordance with a command program included in an input markup program. Like Adams '100, Wagner '224 does not disclose or suggest key features of claims 2-51 and 53-67. For example:

Claim 4 further defines that, according to the command program, the presentation engine [included in a content reproducing apparatus] generates cookie information comprising predetermined target information and stores the cookie information in the data storage unit [included in the content reproducing apparatus]. Neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided with these features.

Claim 5 further defines that the data storage unit comprises a non-volatile data storage portion and a volatile data storage portion, where according to cookie storage attribute information in the command program, the presentation engine stores the cookie information in one of the non-volatile data storage portion and the volatile data storage portion. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided with the different sections of an internal data storage unit.

Claim 6 further defines that the presentation engine incorporates content identification information into the cookie information and stores the cookie information in the data storage unit.

Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided with the cookie information as defined in claim 6.

Claim 7 further defines that the presentation engine searches the data storage unit for the cookie information with the same content identification information as input content identification information and reads the cookie information. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided the use of such cookie information.

Claim 11 further defines that the command program comprises a cookie reference command program, where according to the cookie reference command program, the presentation engine searches the data storage unit for at least one cookie information item, and extracts the predetermined target information from the at least one cookie information item. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided the use of such cookie reference command program.

Claim 12 further defines that the command program comprises a cookie deletion command program, where according to the cookie deletion command program, the presentation engine searches the data storage unit for at least one cookie information item and deletes corresponding cookie information. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided the use of such cookie deletion command program.

Claim 13 further defines that the cookie information comprises at least first information defining a content reproducing apparatus using the cookie information, and second information indicating a path of a markup document using the target information, and the target information comprises a name identifying the target information and a value of the target information. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided the use of such cookie information along with target information.

Claim 14 further defines that the cookie information comprises at least first information defining a content reproducing apparatus using the cookie information, and second information indicating a path of a markup document using the target information, and the target information comprises a name identifying the target information and a value of the target information. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided the use of such cookie information along with target information.

Claim 15 further defines that the cookie information comprises at least first information defining a content reproducing apparatus using the cookie information, and second information indicating a path of a markup document using the target information, and the target information

comprises a name identifying the target information and a value of the target information. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided the use of such cookie information with reference to target information path.

Claims 16-21 further define that the cookie information comprises at least first information defining a content reproducing apparatus using the cookie information, and second information indicating a path of a markup document using the target information, and the target information comprises a name identifying the target information and a value of the target information. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided the use of such cookie information along with target information path.

Claim 23 further defines that, if cookie information having the same first information and second information, and the same name to identify the target information as the cookie information generated according to the cookie generation command program exists in the data storage unit, the presentation engine overwrites the cookie information in the data storage unit with the generated cookie information. Again, neither Adams '100 nor Wagner '224 discloses a content reproducing apparatus provided the use of such cookie information along with target information.

In view of these examples and reasons discussed, Applicants respectfully request that the rejection of claims 2-51 and 53-67 be withdrawn.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC office at (202) 216-9505 ext. 232. Applicants respectfully reserve all rights to file subsequent related application(s) (including reissue applications) directed to any or all previously claimed limitations/features which have been amended or canceled, or to any or all limitations/features not yet claimed, i.e., Applicants have no intention or desire to dedicate or surrender any limitations/features of the disclosed invention to the public.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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